

Richard E. Leff, Esq. (RL-2123)
McGIVNEY & KLUGER, P.C.
80 Broad Street, 23rd Floor
New York, New York 10004
(212) 509-3456

Attorneys for Defendants:
AMERICAN EXPRESS COMPANY, AMERICAN
EXPRESS BANK, LTD. and AMERICAN EXPRESS
TRAVEL RELATED SERVICES COMPANY, INC.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X 21 MC 103 (AKH)

NELSON TOLEDO (AND WIFE, MIRYAM
CEDENO)

Index No.: 08-CV-2332

Plaintiff(s),

**NOTICE OF ADOPTION OF ANSWER
TO MASTER COMPLAINT**

-against-

ELECTRONICALLY FILED

37 BENEFITS FUND TRUST, LTD, *et al.*,

Defendant(s).

-----X

PLEASE TAKE NOTICE that Defendants, AMERICAN EXPRESS COMPANY, AMERICAN EXPRESS BANK, LTD and AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC., by their attorneys, McGIVNEY & KLUGER, P.C., as and for their Response to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) Related to the Master Complaint filed in the above-referenced action, hereby adopt their Answer to Master Complaint dated July 31, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

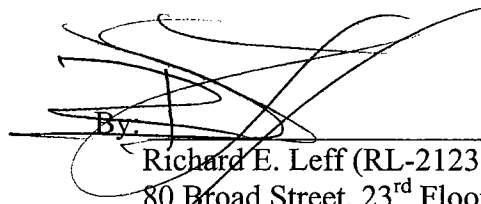
WHEREFORE, the defendants, AMERICAN EXPRESS COMPANY, AMERICAN EXPRESS BANK, LTD and AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC., demand judgment dismissing the above-captioned action as against them,

together with their costs and disbursements and for such other and further relief as this Court
deems just and proper.

Dated: New York, New York
July 8, 2008

Yours etc.,

McGIVNEY & KLUGER, P.C.
Attorneys for Defendants
AMERICAN EXPRESS COMPANY, AMERICAN
EXPRESS BANK, LTD and AMERICAN
EXPRESS TRAVEL RELATED SERVICES
COMPANY, INC.


By: _____
Richard E. Leff (RL-2123)
80 Broad Street, 23rd Floor
New York, New York 10004
(212) 509-3456

TO: WORBY GRONER & NAPOLI BERN, LLP
Plaintiffs Liaison
In Re Lower Manhattan Disaster Site
Litigation
115 Broadway, 12th Floor
New York, New York 10006
(212) 267-3700

All Defense Counsel